



1 GARY M. RESTAINO
 2 United States Attorney
 3 District of Arizona
 4 STUART ZANDER
 5 California State Bar No. 276724
 6 Assistant U.S. Attorney
 7 Two Renaissance Square
 8 40 N. Central Ave., Suite 1800
 9 Phoenix, Arizona 85004
 10 Telephone: 602-514-7500
 11 Email: Stuart.Zander@usdoj.gov
 12 Attorneys for Plaintiff

SEALED
 IN THE UNITED STATES DISTRICT COURT
 FOR THE DISTRICT OF ARIZONA

11 United States of America,
 12 Plaintiff,
 13 vs.
 14 1. Dominic Leos, and
 15 2. Hailey Ann Marie Hackney,
 16 Defendants.

17
 18 No. CR-23-1025-PHX-MTL (ESW)
 19
INDICTMENT
 20 VIO: 8 U.S.C. §§ 1324(a)(1)(A)(v)(I),
 21 (a)(1)(A)(ii), (a)(1)(B)(i)
 22 (Conspiracy to Transport Illegal
 23 Aliens for Profit)
 24 Count 1

THE GRAND JURY CHARGES:

BACKGROUND

21 At times relevant to this Indictment:

22 1. Snapchat is a mobile instant messaging application developed by Snap Inc.
 23 (originally Snapchat Inc.), which provides users a way to share photos, videos, geo-
 24 locations, and chats.

25 2. Snapchat is used for creating multimedia messages referred to as “Snaps.”
 26 “Snaps” are photos or videos that may be shared directly with other users, or in a “Story”
 27 or “Chat.” A “Story” is a collection of Snaps displayed in chronological order, while the

1 “Chat” feature allows a user to type messages and send Snaps, audio notes, and video notes
2 to other users within the Snapchat application. A post may be saved by the user and posted
3 on a later date, which is referred to as a “Memory.”

4 3. One of the principal features of Snapchat is that pictures and messages are
5 usually only available for a short time (24 hours unless removed earlier by the user) before
6 they become inaccessible to their recipients. Generally, absent changes to user settings,
7 once the content is sent and opened by the recipient, the content will be deleted from the
8 user’s device after a certain amount of time, unless the receiver opts to save the content.
9 For instance, Snapchat users are able to save photos and videos to their device or to
10 “Memories,” Snapchat’s cloud-storage service. A user can also save part of a Chat by
11 tapping on the message they want to keep.

12 4. Users can manage their privacy settings so that their Story can be viewed by
13 all Snapchat users, their friends, or a custom audience. A user can also submit their Snaps
14 to Snapchat’s “Our Story” service, which enables their Snaps to be viewed by all Snapchat
15 users in Search and the general location of the user shown on the Snap Map.

16 5. Human smuggling organizations operate to unlawfully smuggle individuals
17 into the United States from other countries, including Mexico. These aliens being
18 smuggled are not United States citizens and have not received the prior official
19 authorization from the United States government to come to, enter, or reside in the United
20 States. The aliens being smuggled, or their families, have typically paid or promised to
21 pay money, or provide other things of value, in exchange for being smuggled into the
22 United States.

23 6. Human smuggling organizations commonly utilize coordinators to recruit
24 persons to transport aliens unlawfully within the United States. The Snapchat application,
25 in conjunction with other means, has been utilized by persons associated with such human
26 smuggling organizations to coordinate, carry out, and attempt to carry out, these activities.
27 This includes users of Snapchat utilizing Story posts to recruit others to join in or carry out
28 human smuggling activities, such as by recruiting persons to pick up and transport

1 individuals who have been unlawfully smuggled into the United States and by identifying
2 locations where such smuggled individuals should be picked up or dropped off within the
3 United States.

4 **COUNT ONE**

5 7. The factual allegations in the preceding paragraphs are realleged and
6 incorporated as though fully set forth herein.

7 8. Beginning on an unknown date and continuing through on or about January
8 14, 2023, in the District of Arizona and elsewhere, defendants, DOMINIC LEOS, and
9 HAILEY ANN MARIE HACKNEY, did knowingly and intentionally combine, conspire,
10 confederate, and agree with persons known and unknown to the grand jury to transport and
11 move within the United States, and attempt to do the same, aliens who had come to, entered,
12 and remained in the United States in violation of law, by means of transportation and
13 otherwise, and in furtherance of such violation of law, for the purpose of commercial
14 advantage and private financial gain, in violation of Title 8, United States Code, Section
15 1324(a)(1)(A)(ii). All in violation of Title 8, United States Code, Section
16 1324(a)(1)(A)(v)(I) and 1324(a)(1)(B)(i).

17 A TRUE BILL
18

19 /s/
20 FOREPERSON OF THE GRAND JURY
21 Date: July 5, 2023

22 GARY M. RESTAINO
23 United States Attorney
District of Arizona

24
25 /s/
26 STUART J. ZANDER
Assistant U.S. Attorney